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10 Attorneys for Plaintiff

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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15
16 UNITED STATES OF AMERICA, } CR No. 07-796-JSW
17 Plaintiff, } STIPULATION AND [PROPOSED] ORDER
18 v. } EXCLUDING TIME UNDER 18 U.S.C. § 3161
19 JULIO CESAR REBOLLAR }
20 a/k/a Julio Nevarro-Rebollar, }
a/k/a Javier Reyes Hernandez, }
21 Defendant. }
22

23 On January 3, 2008, the parties in this case appeared before the Court and stipulated that time
24 from January 3, 2008 through February 7, 2008 should be excluded from Speedy Trial Act
25 calculations because defense counsel needs adequate time to review discovery, which
26 government counsel will produce. The parties represented to the Court that the length of the
27 requested continuance was the reasonable amount of time necessary for effective preparation of
28 defense counsel, taking into account the exercise of due diligence. 18 U.S.C. §

1 3161(h)(8)(B)(iv). The parties also agreed that the ends of justice served by this continuance
2 outweighed the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §
3 3161(h)(8)(A).

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5 SO STIPULATED:

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7 JOSEPH P. RUSSONIELLO
United States Attorney

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9 DATED: January 15, 2008

/s/

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TAREK J. HELOU
Assistant United States Attorney

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12 DATED: January 15, 2008

/s/

13 REBOLLAR

ERIC M. HAIRSTON
Attorney for Defendant JULIO CESAR

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15 As the Court found on January 3, 2008, and for the reasons stated above, the Court finds that
16 the ends of justice served by the requested continuance outweigh the best interests of the public
17 and the defendant in a speedy trial. The Court also finds that time from January 3, 2008 through
18 February 7, 2008 shall be excluded from Speedy Trial Act calculations for effective preparation
19 of defense counsel. 18 U.S.C. § 3161(h)(8)(A). Failing to grant the requested continuance
20 would deny counsel reasonable time necessary for effective preparation, taking into account the
21 exercise of due diligence, and would result in a miscarriage of justice. 18 U.S.C. §
22 3161(h)(8)(B)(iv).

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24 SO ORDERED.

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26 DATED: January 15, 2008

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THE HONORABLE JEFFREY S. WHITE
United States District Court Judge

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